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ATTEST: JACK L. WAAGNE
Clerk, U.S. District Court
Eastern District of California
By [Signature] Deputy Clerk
Dated MAR 26 2002

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MAR 26 2002

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY
DEPUTY CLERK

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA)
)
Plaintiff,)
)
v.)
)
CARY ALYN WAAGE,)
)
Defendant.)

CR-S- **CR.S- 02 - 0124 DFL**
VIOLATIONS: 18 U.S.C. § 1341 -
Mail Fraud; 18 U.S.C.
§ 1956(h) - Conspiracy to
Commit Money Laundering;
18 U.S.C. § 981, 982,
28 U.S.C. § 2461 - Criminal
Forfeiture

I N F O R M A T I O N

COUNT ONE: [18 U.S.C. § 1341 & 2 - Mail Fraud & Aiding
and Abetting]

The United States Attorney charges:

CARY ALYN WAAGE,

defendant herein, as follows:

I. BACKGROUND

At all times material herein:

1. The Tri-West Investment Club ("Tri-West") was an entity
that offered and sold investments in a "Bank Debenture" or "Prime
Bank" note program on a Web site at www.triwestinvest.com.

1 2. Alyn Richard Waage was a Canadian citizen who was Tri-
2 West's founder and leader. Alyn Richard Waage recruited
3 individuals to work with him at Tri-West and managed all
4 significant Tri-West activities, including the operation of the
5 Web site and the intake and distribution of investor funds.

6 3. Defendant CARY ALYN WAAGE was a Canadian citizen who
7 was the son of Alyn Richard Waage. Cary Waage assisted in Tri-
8 West's daily operation and laundered proceeds from investors.

9 4. James Michael Webb was a citizen of the United States
10 who designed Tri-West's Web site, assisted in the management of
11 Tri-West, and laundered investor proceeds.

12 5. Lynn Johnston was a Canadian citizen who was Alyn
13 Richard Waage's sister and was a bookkeeper for Tri-West.
14 Johnston oversaw pay-outs, dividend payments, banking contacts,
15 payroll, and other financial transactions for Tri-West.

16 6. Michelle Higgins was a Canadian citizen who, among other
17 things, used, and permitted the use of, her name to establish
18 entities used to open bank accounts for Tri-West for purposes of
19 executing the scheme to defraud and laundering proceeds from Tri-
20 West investors.

21 II. THE SCHEME TO DEFRAUD

22 7. As set forth more fully below, beginning in or about
23 mid-1999 and continuing until in or about December 2001, in the
24 State and Eastern District of California and elsewhere, defendant
25 CARY ALYN WAAGE, Alyn Richard Waage, James Michael Webb, Lynn
26 Johnston, Michelle Higgins, and others did knowingly devise and
27 intend to devise, and participate in, a scheme and artifice to
28 defraud investors in Tri-West by means of materially false and

1 fraudulent pretenses, representations and promises. In total,
2 defendant CARY ALYN WAAGE and others fraudulently induced
3 approximately 13,000 individuals to invest approximately \$58
4 million in Tri-West by falsely representing that their
5 investments would earn substantial profits in a "Bank Debenture"
6 or "Prime Bank" trading program. In fact, rather than trading
7 "Bank Debentures," defendant CARY ALYN WAAGE and others operated
8 Tri-West as a vast Ponzi scheme, using some Tri-West investor
9 funds to make "dividend" payments to earlier investors to give
10 the false impression of profitability, and using the balance of
11 investor funds to purchase millions of dollars of real properties
12 in Mexico and Costa Rica, a yacht, a helicopter, numerous late-
13 model automobiles, and other luxury and personal items.
14 Defendant CARY ALYN WAAGE and others also funneled money to
15 foreign bank accounts and shell corporations to conceal their
16 ill-gotten gains.

17 The Tri-West Investment Club Web Site

18 8. Tri-West offered and sold investments through an
19 Internet Web site at www.triwestinvest.com, which stated that
20 Tri-West was "a worldwide private membership club formed to
21 assist members in investing offshore -- showing a good return on
22 investment with a minimal risk."

23 9. The Web site stated that Tri-West had more than 6,000
24 members, and that the "day to day operations are conducted by
25 Jason Kingsley, Mark Goldman and Alan Richards." The Web site
26 claimed at that time that Kingsley "worked for the government as
27 a senior official until his retirement in 1995."

28 10. The Web site invited individuals to join Tri-West by

1 investing in \$1,000 increments. Tri-West then promised to pay
2 investors a 10 percent return per month, and then return the
3 principal at the end of one year. Tri-West also promoted a
4 "Member Referral Program" under which it promised to pay members
5 a "referral bonus" of 15 percent of the "referred investment"
6 plus 15 percent of the referred member's "income."

7 11. The Web site claimed that Tri-West was able to pay
8 investors such lucrative rates of return by investing in a "Bank
9 Debenture Trading Program." Under this program, which used to be
10 available only to the "very wealthy," the principal was "invested
11 to give a guaranteed high return to the investor" with "no risk
12 of losing the investor's principal investment." There was no
13 risk because the investor's funds are "secured by a Bank-Endorsed
14 Guarantee."

15 12. According to the Web site, Tri-West's trading "program"
16 operated by purchasing "Promissory Bank Notes" issued by certain
17 "key international 'Prime Banks,'" which consisted of the top 250
18 banks worldwide. These "Prime Bank" notes were "sold and re-sold
19 down the money-market chain to the retail level at escalating
20 prices, thus realizing a higher profit on each transaction, which
21 can take as little as one day to complete." At such large
22 spreads over a 40 week trading period, the Web site stated that
23 "it is not difficult to understand why the investor, as capital
24 provider, receives such a high guaranteed rate of return for
25 funding this operation."

26 13. The Web site claimed that an entity called the Haarlem
27 Universal Corporation ("Haarlem"), "a Panamanian Investment
28 Company" specializing in bond and currency trading since 1969,

1 exclusively handled Tri-West's trading. Haarlem was said to have
2 been named for Alex Haarlem, who was said to be a trader. The
3 Web site claimed that Haarlem "is one of the largest and most
4 prestigious trading companies" in the world. According to the
5 Web site, "[i]n 30 years, Haarlem has never failed to show a
6 substantial return to investors and no investor has ever lost any
7 of the funds invested."

8 14. The Web site was sprinkled with quoted testimonials
9 from a Jennifer and Robert Moore from Manchester, U.K. (referral
10 income provides "sufficient income to live splendidly for the
11 rest of our lives"); Kai Cheng from Hong Kong ("I receive income
12 every month to cover all of my expenses"); Carlos Spencer from
13 Buenos Aires ("On the first of every month, my investment return
14 is in my bank account like clockwork"); T. Rockwell from Los
15 Angeles (he "generate[s] a perpetual income of over \$100,000 per
16 year on my referral bonus income alone"); and David Fox from
17 Australia (initial \$10,000 investment is now worth "in excess of
18 \$1,000,000 and growing each month").

19 15. The Web site directed victim investors to mail
20 membership applications and investments to:

21 Tri-West Investment Club
22 Attn: Investor Relations
23 160 North Front Street
P.O. Box 354
Belize City, Belize

24 The Web site directed that payments be made to Haarlem Universal
25 Corporation.

26 Misrepresentations

27 16. The Web site made numerous material misrepresentations,
28 including at least the following:

1 a. Fictitious Investments: Contrary to representations,
2 Tri-West never actually invested any of the investors' money in
3 any "Bank Debenture Trading Program," or in "Promissory Notes"
4 issued by "Prime Banks." Instead, defendant CARY ALYN WAAGE and
5 others used Tri-West investor funds to make "dividend" payments
6 to other investors to give the false impression of profitability,
7 and used the balance to purchase millions of dollars of real
8 properties in Mexico and Costa Rica as well as a yacht and a
9 helicopter, and to funnel money to numerous shell corporations.

10 b. Haarlem Fiction: The Web site falsely represented that
11 Haarlem was a "Panamanian Investment Company" that had been in
12 operation since 1969. In fact, Haarlem was incorporated in
13 Panama in 1999, not 1969, and is not a registered investment
14 company. The Web site also falsely represented that Tri-West was
15 connected to a fictitious individual named Alex Haarlem.

16 c. Fictitious Managers: The alleged managers of Tri-West,
17 "Jason Kingsley", "Mark Goldman" and "Alan Richards," are
18 fictitious names used to dupe investors into believing that
19 legitimate financiers were behind Tri-West's operations. In
20 fact, Alyn Richard Waage exercised primary control over the
21 activities of Tri-West.

22 d. Fictitious Testimonials: The names of the individuals
23 providing testimonials on the Web site are fictitious, and their
24 testimonials false, designed to cause prospective investors to
25 believe that Tri-West was a legitimate investment program.

26 III. USE OF THE MAILS

27 17. On or about October 31, 2000, in the State and Eastern
28 District of California and elsewhere, for the purpose of

1 executing and attempting to execute the scheme and artifice to
2 defraud set forth above, defendant CARY ALYN WAAGE and others
3 caused a \$5,000 check to be sent by a private and commercial
4 interstate carrier from a Tri-West investor in Folsom,
5 California, to Tri-West Investment Club, 160 North Front Street,
6 P.O. Box 354, Belize City, Belize.

7 All in violation of Title 18, United States Code, Sections
8 1341 and 2.

9 COUNT TWO: [18 U.S.C. 1956(h) - Conspiracy to Commit
10 Money Laundering]

11 The United States Attorney further charges:

12 CARY ALYN WAAGE,
13 aka Gary Alyn Waage,

14 defendant herein, as follows:

15 18. Beginning in or about mid-1999, and continuing through
16 in or about December 2001, in the State and Eastern District of
17 California and elsewhere, defendant CARY ALYN WAAGE and Alyn
18 Richard Waage, Lynn Johnston, James Michael Webb, Michelle
19 Higgins, and others, did knowingly combine, conspire, confederate
20 and agree together and with each other to conduct and attempt to
21 conduct financial transactions affecting interstate commerce,
22 which transactions involved the proceeds of specified unlawful
23 activity (to wit, mail fraud, in violation of Title 18, United
24 States Code, Section 1341), in the following manners: (a) with
25 the intent to promote the carrying on of such specified unlawful
26 activity, and (b) to conceal or disguise the nature, the
27 location, the source, the ownership, or the control of the
28 proceeds of specified unlawful activity. While conducting and

1 attempting to conduct such financial transactions, defendant CARY
2 ALYN WAAGE and the others identified in this paragraph knew that
3 the property involved in the financial transactions represented
4 the proceeds of some form of unlawful activity, all in violation
5 of Title 18, United States Code, Sections 1956(a)(1)(A)(i) and
6 1956(a)(1)(B)(i).

7 19. Furthermore, beginning in or about June 1999, and
8 continuing through in or about December 2001, in the State and
9 Eastern District of California and elsewhere, defendant CARY ALYN
10 WAAGE and Richard Alyn Waage, Lynn Johnston, James Michael Webb,
11 Michelle Higgins, and others, did knowingly combine, conspire,
12 confederate and agree together and with each other to transport,
13 transmit, or transfer, or attempt to transport, transmit, or
14 transfer monetary instruments or funds from a place in the United
15 States, including from places in the Eastern District of
16 California, to or through a place outside the United States and
17 to a place in the United States from or through a place outside
18 the United States with the intent to promote the carrying on of
19 specified unlawful activity, all in violation of Title 18, United
20 States Code, Section 1956(a)(2)(A).

21 MANNER AND MEANS OF THE CONSPIRACY

22 20. Paragraphs numbered 1 through 19 above are hereby
23 incorporated by reference as if fully set forth herein.

24 21. The objects of the conspiracy were accomplished through
25 the following manner and means, among others:

26 a. As part of a mail fraud scheme, defendant CARY ALYN
27 WAAGE and others fraudulently induced investors from the United
28 States and elsewhere to transmit approximately \$58 million to and

1 through places outside the United States by misrepresenting that
2 the investments would be used in a "Bank Debenture Trading
3 Program," when in fact no such "program" existed. Defendant CARY
4 ALYN WAAGE and others deposited the proceeds of the mail fraud
5 scheme in bank accounts in, among other locations, Mexico, Costa
6 Rica and Latvia.

7 b. Defendant CARY ALYN WAAGE and others then used the
8 investors' funds to promote the carrying on of the mail fraud
9 scheme by causing thousands of "dividend" checks to be issued by
10 Bankers Trust Bank in New York and mailed to certain Tri-West
11 investors to give the false impression of profitability.

12 c. Defendant and others also attempted to conceal and
13 disguise the nature, location, source, ownership and control of
14 the proceeds of the mail fraud scheme by, among other things,
15 purchasing real properties in foreign countries such as Mexico
16 and Costa Rica in the name of shell corporations; purchasing
17 numerous automobiles, a yacht and a helicopter; and transferring
18 millions of dollars from Haarlem bank accounts to bank accounts
19 controlled by defendant CARY ALYN WAAGE and other co-
20 conspirators.

21 OVERT ACTS

22 22. In furtherance of this conspiracy and to effect the
23 objects thereof, the following overt acts, among others, were
24 committed in the Eastern District of California and elsewhere:

25 a. Between on or about mid-1999 and June 2001, the
26 defendant CARY ALYN WAAGE and others caused thousands of
27 "dividend" checks to be periodically issued from Bankers Trust in
28 New York to Tri-West investors in the United States and

1 elsewhere, including checks delivered to at least 95 investors
2 located in the Eastern District of California.

3 b. Between mid-1999 and December 2001, defendant CARY
4 ALYN WAAGE and others purchased the following real properties in
5 Mexico:

- 6 (1) Casa Cristiana, Paseo del los Defines #123, Conchas
7 Chinas, Puerto Vallarta, Jalisco, Mexico;
- 8 (2) Puerto Iguana, Villa #92, Blvd. Francisco Madina
9 Ascencio, Marina Vallarta, Puerto Vallarta;
- 10 (3) Villas Vista Del Sol, Aquilles Serdan No. 174 Unit 302,
11 Puerto Vallarta;
- 12 (4) Villas Vista Del Sol, Aquilles Serdan No. 174 Unit 205,
13 Puerto Vallarta;
- 14 (5) Casa Tatiana, Rinconadas de las Caracolas #113 Puerto
15 Vallarta, Jalisco, Mexico;
- 16 (6) Calle Amapas No. 156, El Dorado Condo Unit 401; and
- 17 (7) Calle Amapas No. 156, El Dorado Condo Unit 503.

18 c. Between in or about mid-1999 and December 2001,
19 defendant CARY ALYN WAAGE and others conducted financial
20 transactions involving Tri-West investor funds in an effort to
21 conceal the nature and source of those funds, including
22 transactions involving the following financial institutions and
23 accounts:

24 Financial Institution	25 Account Numbers	26 Account Holder
27 Operadora de Fondos Lloyd, S.A. Mexico	122697-6	Cary Waage
28 Grupo Financiero Bital, S.A. de C.V. Mexico	790 0000 356 700 1583 624	Trust used by Alyn Waage, Higgins, Cary Waage and Johnston
Paritate Bank Riga, Latvia	0000 3292 6060	Cary Waage

Paritate Bank Riga, Latvia	5433 1510 0537 3011 (card account)	Cary Waage
Paritate Bank Riga, Latvia	4081 4610 0100 4017 (card account)	Cary Waage
Paritate Bank Riga, Latvia	574-07-4554-541	Heinsword Investment
Pirma Bank Riga, Latvia	204 3035 607	Cary Waage
Pirma Bank credit/debit line	4775 7332 8041 1639	Cary Waage
Parex Bank Latvia	6762 2101 2703 8016	Cary Waage
Banco Bancentro	Inv. #242	Cary Waage
Rietumu Banka	058807166	Cary Waage

d. Between in or about mid-1999 and December 2001, defendant CARY ALYN WAAGE and others conducted financial transactions involving Tri-West investor funds in an effort to conceal the nature and source of those funds, including transactions involving the following financial institutions and accounts and real properties located in Costa Rica:

- (1) Real Property Known as Propiedad De La Provincia De Heredia, Located in Belen De Heredia, Lot No. 094954-000, Held in the Name of Creaciones Y Descubrimientos CWE, S.A., Including All Appurtenances and Improvements Thereto,
- (2) Real Property Known as Quintas La Isabella, Located in La Garita De Alajuela, Lot No. 168320-000, Held in the Name of Carlton Securities S.R.L., Including All Appurtenances and Improvements Thereto,
- (3) Real Property Known as Apartamento #35, Located in Escazu De San Jose, Lot No. 508046-000, Owned by FIU Securities S.R.L., Including All Appurtenances and Improvements Thereto,
- (4) Real Property Known as Las Hadas Condominio #02, Located in Escazu De San Jose, Lot No. F023978-000, Owned by Hada Campanita, S.A., Including All Appurtenances, Improvements and Contents Thereto,

- (5) Real Property Known as Condominio Sante Fe, Located in Escazu De San Jose, Lot No. F020953-000, Owned by Top Investments, S.R.L., Including All Appurtenances and Improvements, Thereto,
- (6) Real Property Known as Rancho Marqui, Located at La Garita De Alajuela, Lot No. 247746-000, Owned by Trust Investments, S.R.L., Including All Appurtenances, Improvements and Contents, Thereto,
- (7) Special Equipment Ford, Vin: BD63232, Plate No. EE-017531, Registered to Rancho Marqui,
- (8) 2002 BMW, Plate No. 434066, Vin: WBSB191020JP77897, Registered to M Tres KWLL Investments S.R.L.,
- (9) Banco Bantec Cq, San Jose, La Uruca, Certificates in the Name of Dax Jaikel, Nos. 8058, 8059, 8060, 8080, 8081, 8084, and 8123, plus Any and All Accrued Interest Earned,
- (10) Banco Bantec Cq, San Jose, La Uruca, Certificates in the Name of Creaciones Y Descubrimientos, Nos. 8089, 8090, 8091, and 8104, plus Any and All Accrued Interest Earned,
- (11) Banco Bantec Cq, San Jose La Uruca, Certificates in the Name of Haarlem Universal Corporation, Nos. 8099, 8100, and 8082, plus Any and All Accrued Interest Earned,
- (12) Banco Bantec Cq, San Jose, La Uruca, Debit Card 4259-5503-0100-9381, in the Name of Alyn Richard Waage, plus Any and All Accrued Interest Earned,
- (13) Banco Bantec Cq, San Jose, La Uruca, Debit Card 4259-5503-0100-9373, in the Name of Michelle Higgins, plus Any and All Accrued Interest Earned,
- (14) Banco Bantec Cq, San Jose, La Uruca, Debit Card 4259-5201-0100-3389 in the Name of Dax Jaikel Arce, plus Any and All Accrued Interest Earned,
- (15) All Funds In Banco Bancentro Investment Fund in the Name of Cary Waage, plus Any and All Accrued Interest Earned,
- (16) All Funds In Banco Elca, San Jose, Paseo Colon, Account No. 122012485, in the Name of South American Investments S.R.L., plus Any and All Accrued Interest Earned,
- (17) All Funds In Banco Elca, San Jose, Paseo Colon, Account No. 122012731, in the Name of James

- Michael Webb, plus Any and All Accrued Interest Earned,
- (18) Two Banco Elca, San Jose, Paseo Colon, Inv. Certs. Nos. 000200017364 and 00020017365 Obtained by Francisco Kou, plus Any and All Accrued Interest Earned,
- (19) Banco Elca, San Jose, Paseo Colon, Document on Demand, in the Name of FIU Investment S.R.L., plus Any and All Accrued Interest Earned,
- (20) Banco Elca, San Jose, Paseo Colon, Document on Demand, in the Name of Haarlem Universal Corporation, plus Any and All Accrued Interest Earned,
- (21) Financorp, Credit Cards, in the Name of South American Investments S.R.L., plus Any and All Accrued Interest Earned,
- (22) Banco Promerica, Cert. No. 19070 and All Funds In Account No. 8360209979, in the Name of Dax Jaikel Arce, plus Any and All Accrued Interest Earned,
- (23) Banco Promerica, Inv. Cert. No. 23485 and All Funds In Account No. 3-113055 in the Name of Francisco Kou, plus Any and All Accrued Interest Earned,
- (24) Banco Promerica, Cert. Nos. 24146, 24147, and 24148, in the Name of Keith Adrex Nordick, plus Any and All Accrued Interest Earned,
- (25) Banco Promerica, Account No. 4-159380, in the Name of James Michael Webb, plus Any and All Accrued Interest Earned,
- (26) Grupo Sama, Account No. 12722, plus Any and All Accrued Interest Earned,
- (27) Corporacion Interfin, Acct. On Demand, in the Name of Dax Jaikel Arce, plus Any and All Accrued Interest Earned,
- (28) Banco Cathay, Investment Fund in the Name of Cathay Valores Puesto De Bolsa, plus Any and All Accrued Interest Earned,
- (29) Three Banco Cathay, Inv. Certs. Nos. 2951, 2952, and 2953, plus Any and All Accrued Interest Earned,
- (30) Banco Cathay, Deposition En Efectivo Realizado Por, in the Name of Keith Nordick, plus Any and

All Accrued Interest Earned,

- (31) Banco Credito Agricola De Cartago, Certs. Nos. 3023293, 3023295, 3023296, 3023297, 3023298, plus Any and All Accrued Interest Earned,
- (32) Banco Cuscatlan, Account No. 105-13240-5, in the Name of Haarlem Universal Corporation, plus Any and All Accrued Interest Earned,
- (33) Arrendadora Automotriz Zume Comercial S.A., Investment Account in the Name of South American Investments S.R.L., plus Any and All Accrued Interest Earned,
- (34) Cruisers Yacht 5000, Hull No. CRSZAA11L001,
- (35) 2000 Bell Helicopter 2061-4, Long Ranger IV, No. 52258, N207AW,
- (36) 2001 Isuzu Trooper, License No. 395146, Registered to I.T. Del Sur S.A.,
- (37) 1999 Chevrolet, Vin: 3GCBC11434XS106383, License No. 171173, Registered to Rancho Marqui,
- (38) 1997 Honda Motorbike, Vin: JH2HE0300VK602240, License No. MOT-096446, Registered to Rancho Marqui,
- (39) 1998 Honda Motorbike, Vin: JH2HE0109TK501083, License No. MOT-096445, Registered to Rancho Marqui,
- (40) 1999 Isuzu Trooper, Vin: JACUBS256X7100325, License No. 426400, Registered to I.T. Del Sur S.A.,
- (41) 1999 Isuzu Trooper, Vin: JACUBS256X7100039, License No. 308968, Registered to I.T. Del Sur S.A.,
- (42) 1999 Chevrolet Blazer, Vin: 1GNDDT13W3X2235416, License No. 353780, Registered to Rancho Marqui,
- (43) 2001 Dodge Durango, Vin: 1B4HS28N61F589558, License No. 434257, Registered to Original Investment,
- (44) 1999 Lexus GS, Vin: JT8BH68X9X0021542, License No. 422663, Registered to Internal Investment S.R.L.,
- (45) 1999 Jeep Grand Cherokee, Vin: 1J4GW58N0XC671939, License No. 354622, Registered to Grown Securities S.R.L.,

- (46) 2001 Jeep Grand Cherokee, Vin: 1J4GX48SX1C582805, License No. AGV-2320, Registered to Creaciones Y Descrubrimientos,
- (47) 2001 Toyota Land Cruiser, Vin: JT11TJA109004157, License No. 396833, Registered to M.A. Paterre,
- (48) 2001 Ford Windstar, Vin: 2FMDA52401BA73117, License No. HXG 3486, Registered to Calzado F.G.S.A.,
- (49) 2001 Ford Explorer, Vin: 1FMZU85P11UB54173, License No. HXH 2520 Registered to Alyn R. Waage,
- (50) 2001 Ford Explorer, Vin: 1FMZU85P81ZA21428, License No. HXE 7616, Registered to Alyn R. Waage,
- (51) 2001 Lincoln Navigator, Vin: 5LMFU28R21LJ16435, License No. HSH 2892,
- (52) Assorted Jewelry Seized from Rancho Marqui Residence on September 6, 2001,
- (53) Approximately \$243,000 in U.S. Currency Seized from Rancho Marqui Location on September 6, 2001,
- (54) 1993 Honda Civic LX, Vin: JHMEG8556PS056168, License No. 354936, Registered to Creaciones Y Descrubrimientos.

All in violation of Title 18, United States Code, Section 1956(h).

FORFEITURE ALLEGATION:

[18 U.S.C. §§ 982(a)(1) & 981(a)(1)(C), and
28 U.S.C. § 2461(c) - Criminal Forfeiture]

23. Incorporated fully herein by reference are paragraphs 1-22 of Counts One and Two of this Information.

24. As a result of the offenses alleged in Count One and Two of this Information, defendant CARY ALYN WAAGE has an interest in and shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) (incorporated by Title 28, United States Code, Section 2461(c)) all property, real and personal, which constitutes or is derived from proceeds

1 traceable to such violations. As a result of the offense alleged
2 in Count Two of this Information, defendant CARY ALYN WAAGE has
3 an interest in and shall forfeit to the United States, pursuant
4 to Title 18, United States Code, Section 982(a)(1), all property,
5 real or personal, which is involved in such offense, and all
6 property traceable to such property. The property subject to
7 forfeiture as a result of the aforementioned offenses includes,
8 but is not limited to, the following:

- 9 a. Account number 122697-6, Operadora de Fondos Lloyd,
10 S.A., Mexico;
- 11 b. Account number 790 000 356, Grupo Financiero Bital,
12 S.A. de C.V., Mexico;
- 13 c. Account number 700 1583 624, Grupo Financiero Bital,
14 S.A. de C.V., Mexico;
- 15 d. Account number 0000 3292 6060, Paritate Bank, Riga,
16 Latvia
- 17 e. Account number 5433 1510 0537 3011 (card account),
18 Paritate Bank, Riga, Latvia
- 19 f. Account number 4081 4610 0100 4017 (card account),
20 Paritate Bank, Riga, Latvia;
- 21 g. Account number 574-07-4554-541, Paritate Bank, Riga,
22 Latvia;
- 23 h. Account number 204 3035 607, Pirma Bank, Riga, Latvia;
- 24 i. Account number 4775 7332 8041 1639, Pirma Bank, Riga,
25 Latvia;
- 26 j. Account number 6762 2101 2703 8016, Parex Bank, Latvia;
- 27 k. Inv. #242, Banco Bancentro, San Jose, Costa Rica;
- 28 l. Account number 058807166, Rietumu Banka, Latvia; and
- m. The following real properties located in Mexico:
 - (1) Casa Cristiana, Paseo del los Defines #123,
Conchas Chinas, Puerto Vallarta, Jalisco, Mexico;
 - (2) Puerto Iuana, Villa #92, Blvd. Francisco Madina
Ascencio, Marina Vallarta, Puerto Vallarta;

- (3) Aquiles Serdan No. 174 Unit 302, Puerto Vallarta;
- (4) Aquiles Serdan No. 174 Unit 205;
- (5) Casa Tatiana, Rinconadas de las Caracolas #113
Puerto Vallarta, Jalisco, Mexico;
- (6) Calle Armapas No. 156, El Dorado Condo Unit 401;
and
- (7) Calle Armapas No. 156, El Dorado Condo Unit 503
and 504 (legally 2 units but physically one
apartment).

n. The following additional assets from Costa Rica:

- (1) Real Property Known as Propiedad De La Provincia
De Heredia, Located in Belen De Heredia, Lot No.
094954-000, Held in the Name of Creaciones Y
Descubrimientos CWE, S.A., Including All
Appurtenances and Improvements Thereto,
- (2) Real Property Known as Quintas La Isabella,
Located in La Garita De Alajuela, Lot No. 168320-
000, Held in the Name of Carlton Securities
S.R.L., Including All Appurtenances and
Improvements Thereto,
- (3) Real Property Known as Apartamento #35, Located in
Escazu De San Jose, Lot No. 508046-000, Owned by
FIU Securities S.R.L., Including All Appurtenances
and Improvements Thereto,
- (4) Real Property Known as Las Hadas Condominio #02,
Located in Escazu De San Jose, Lot No. F023978-
000, Owned by Hada Campanita, S.A., Including All
Appurtenances, Improvements and Contents Thereto,
- (5) Real Property Known as Condominio Sante Fe,
Located in Escazu De San Jose, Lot No. F020953-
000, Owned by Top Investments, S.R.L., Including
All Appurtenances and Improvements, Thereto,
- (6) Real Property Known as Rancho Marqui, Located at
La Garita De Alajuela, Lot No. 247746-000, Owned
by Trust Investments, S.R.L., Including All
Appurtenances, Improvements and Contents, Thereto,
- (7) Special Equipment Ford, Vin: BD63232, Plate No.
EE-017531, Registered to Rancho Marqui,
- (8) 2002 BMW, Plate No. 434066, Vin:
WBSB191020JP77897, Registered to M Tres KWLL
Investments S.R.L.,

- (9) Banco Bantec Cq, San Jose, La Uruca, Certificates in the Name of Dax Jaikel, Nos. 8058, 8059, 8060, 8080, 8081, 8084, and 8123, plus Any and All Accrued Interest Earned,
- (10) Banco Bantec Cq, San Jose, La Uruca, Certificates in the Name of Creaciones Y Descubrimientos, Nos. 8089, 8090, 8091, and 8104, plus Any and All Accrued Interest Earned,
- (11) Banco Bantec Cq, San Jose La Uruca, Certificates in the Name of Haarlem Universal Corporation, Nos. 8099, 8100, and 8082, plus Any and All Accrued Interest Earned,
- (12) Banco Bantec Cq, San Jose, La Uruca, Debit Card 4259-5503-0100-9381, in the Name of Alyn Richard Waage, plus Any and All Accrued Interest Earned,
- (13) Banco Bantec Cq, San Jose, La Uruca, Debit Card 4259-5503-0100-9373, in the Name of Michelle Higgins, plus Any and All Accrued Interest Earned,
- (14) Banco Bantec Cq, San Jose, La Uruca, Debit Card 4259-5201-0100-3389 in the Name of Dax Jaikel Arce, plus Any and All Accrued Interest Earned,
- (15) All Funds In Banco Bancentro Investment Fund in the Name of Cary Waage, plus Any and All Accrued Interest Earned,
- (16) All Funds In Banco Elca, San Jose, Paseo Colon, Account No. 122012485, in the Name of South American Investments S.R.L., plus Any and All Accrued Interest Earned,
- (17) All Funds In Banco Elca, San Jose, Paseo Colon, Account No. 122012731, in the Name of James Michael Webb, plus Any and All Accrued Interest Earned,
- (18) Two Banco Elca, San Jose, Paseo Colon, Inv. Certs. Nos. 000200017364 and 00020017365 Obtained by Francisco Kou, plus Any and All Accrued Interest Earned,
- (19) Banco Elca, San Jose, Paseo Colon, Document on Demand, in the Name of FIU Investment S.R.L., plus Any and All Accrued Interest Earned,
- (20) Banco Elca, San Jose, Paseo Colon, Document on Demand, in the Name of Haarlem Universal Corporation, plus Any and All Accrued Interest Earned,

- (21) Financorp, Credit Cards, in the Name of South American Investments S.R.L., plus Any and All Accrued Interest Earned,
- (22) Banco Promerica, Cert. No. 19070 and All Funds In Account No. 8360209979, in the Name of Dax Jaikel Arce, plus Any and All Accrued Interest Earned,
- (23) Banco Promerica, Inv. Cert. No. 23485 and All Funds In Account No. 3-113055 in the Name of Francisco Kou, plus Any and All Accrued Interest Earned,
- (24) Banco Promerica, Cert. Nos. 24146, 24147, and 24148, in the Name of Keith Adrex Nordick, plus Any and All Accrued Interest Earned,
- (25) Banco Promerica, Account No. 4-159380, in the Name of James Michael Webb, plus Any and All Accrued Interest Earned,
- (26) Grupo Sama, Account No. 12722, plus Any and All Accrued Interest Earned,
- (27) Corporacion Interfin, Acct. On Demand, in the Name of Dax Jaikel Arce, plus Any and All Accrued Interest Earned,
- (28) Banco Cathay, Investment Fund in the Name of Cathay Valores Puesto De Bolsa, plus Any and All Accrued Interest Earned,
- (29) Three Banco Cathay, Inv. Certs. Nos. 2951, 2952, and 2953, plus Any and All Accrued Interest Earned,
- (30) Banco Cathay, Deposition En Efectivo Realizado Por, in the Name of Keith Nordick, plus Any and All Accrued Interest Earned,
- (31) Banco Credito Agricola De Cartago, Certs. Nos. 3023293, 3023295, 3023296, 3023297, 3023298, plus Any and All Accrued Interest Earned,
- (32) Banco Cuscatlan, Account No. 105-13240-5, in the Name of Haarlem Universal Corporation, plus Any and All Accrued Interest Earned,
- (33) Arrendadora Automotriz Zume Comercial S.A., Investment Account in the Name of South American Investments S.R.L., plus Any and All Accrued Interest Earned,
- (34) Cruisers Yacht 5000, Hull No. CRSZAA11L001,

- (35) 2000 Bell Helicopter 2061-4, Long Ranger IV, No. 52258, N207AW,
- (36) 2001 Isuzu Trooper, License No. 395146, Registered to I.T. Del Sur S.A.,
- (37) 1999 Chevrolet, Vin: 3GCBC11434XS106383, License No. 171173, Registered to Rancho Marqui,
- (38) 1997 Honda Motorbike, Vin: JH2HE0300VK602240, License No. MOT-096446, Registered to Rancho Marqui,
- (39) 1998 Honda Motorbike, Vin: JH2HE0109TK501083, License No. MOT-096445, Registered to Rancho Marqui,
- (40) 1999 Isuzu Trooper, Vin: JACUBS256X7100325, License No. 426400, Registered to I.T. Del Sur S.A.,
- (41) 1999 Isuzu Trooper, Vin: JACUBS256X7100039, License No. 308968, Registered to I.T. Del Sur S.A.,
- (42) 1999 Chevrolet Blazer, Vin: 1GNDT13W3X2235416, License No. 353780, Registered to Rancho Marqui,
- (43) 2001 Dodge Durango, Vin: 1B4HS28N61F589558, License No. 434257, Registered to Original Investment,
- (44) 1999 Lexus GS, Vin: JT8BH68X9X0021542, License No. 422663, Registered to Internal Investment S.R.L.,
- (45) 1999 Jeep Grand Cherokee, Vin: 1J4GW58N0XC671939, License No. 354622, Registered to Grown Securities S.R.L.,
- (46) 2001 Jeep Grand Cherokee, Vin: 1J4GX48SX1C582805, License No. AGV-2320, Registered to Creaciones Y Descrubrimientos,
- (47) 2001 Toyota Land Cruiser, Vin: JT11TJA109004157, License No. 396833, Registered to M.A. Paterre,
- (48) 2001 Ford Windstar, Vin: 2FMDA52401BA73117, License No. HXG 3486, Registered to Calzado F.G.S.A.,
- (49) 2001 Ford Explorer, Vin: 1FMZU85P11UB54173, License No. HXH 2520 Registered to Alyn R. Waage,
- (50) 2001 Ford Explorer, Vin: 1FMZU85P81ZA21428, License No. HXE 7616, Registered to Alyn R. Waage,

- (51) 2001 Lincoln Navigator, Vin: 5LMFU28R21LJ16435,
License No. HSH 2892,
- (52) Assorted Jewelry Seized from Rancho Marquis
Residence on September 6, 2001,
- (54) Approximately \$243,000 in U.S. Currency Seized
from Rancho Marquis Location on September 6, 2001,
- (55) 1993 Honda Civic LX, Vin: JHMEG8556PS056168,
License No. 354936, Registered to Creaciones Y
Descrubrimientos.

All in violation of Title 18, United States Code, Sections
1341 and 1956(h).

25. If any of the property described above as being subject
to forfeiture, as a result of any act or omission of defendant
CARY ALYN WAAGE -

- (1) cannot be located upon the exercise of due
diligence;
- (2) has been transferred or sold, or deposited with, a
third person;
- (3) has been placed beyond the jurisdiction of the
Court;
- (4) has substantially diminished in value; or
- (5) has been commingled with other property which
cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18,
United States Code, Section 982(b)(1), incorporating Title 21,
United States Code, Section 853(p), to seek forfeiture of any

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1 other property of defendant CARY ALYN WAAGE up to the value of
2 the property described in sub-paragraphs (1) through (5), above.

3 DATED: March 25, 2002

JOHN K. VINCENT
United States Attorney

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6 By: 

CHRISTOPHER P. SONDERBY
ROBIN TAYLOR
Assistant U.S. Attorneys